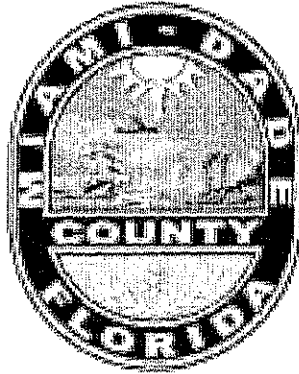


Miami Dade County

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128



LEGISLATIVE ANALYSIS

Wednesday, June 16, 2004
2:00 PM
Commission Chambers

Board of County Commissioners

Recreation & Cultural Affairs Committee

June 16, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 850 IVES DAIRY ROAD, MIAMI WITH CALIFORNIA CLUB SHOPPING CENTER, LTD. D/B/A R.K. ASSOCIATES, A FLORIDA CORPORATION, FOR PREMISES TO BE UTILIZED BY MIAMI-DADE COUNTY FOR A MINI-LIBRARY; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

I. SUMMARY

This resolution approves a lease agreement at 850 Ives Dairy Road with the California Club Shopping Center Ltd. And the Miami-Dade County Public Library System.

II. PRESENT SITUATION

Presently, the Miami-Dade Public Library System is involved in an expansion program that calls for the construction and operation of ten neighborhood libraries to be built over the next thirteen years. In addition, funding was approved for the opening and operating of eight mini-libraries, in leased facilities, over the next four years. This plan also includes major renovations to existing facilities. This site is one of the eight mini-libraries.

III. POLICY CHANGE AND IMPLICATION

None.

IV. ECONOMIC IMPACT

The lease agreement is for five years with two additional two-year renewal option periods. Annual rent is \$90,000 (\$20.00 per square foot). The base rent for the second, third, fourth and fifth years shall increase \$1.00 per square foot each year which equates to an increase of 5% for the second year, 4.7% for the third year, 4.5% for the fourth year and 4.3% for the fifth year. In addition, the County will pay \$3.00 per square foot as its contribution toward common area maintenance, real estate taxes and insurance for the first year of the initial lease term, \$3.33 per square foot for the second year, \$3.60 per square foot for the third year, \$4.00 per square foot for the fourth year and \$4.40 per square foot for the fifth year. The base rent and common area maintenance shall be adjusted by a three percent increase each year of the renewal periods. The County will be responsible for electricity, water, HVAC maintenance, janitorial, custodial and exterminating services. Funding for this lease agreement will come out of the Library Taxing District.

Recreation & Cultural Affairs ITEM 3(E)

June 16, 2004

V. COMMENTS AND QUESTIONS

Several other properties were evaluated for this Library including the following:

Ives Dairy Crossing Shopping Center

19925 Ives Dairy Road- \$21.00 per square foot plus

\$4.75 CAM per square foot

202 Place

20295 N.W. 2nd Avenue - \$19.00 per square foot

No space available

Office Park at California Club

1001-1041 Ives Dairy Road - \$20.00 per square foot

No space available

See attached for information on the Library Capital Improvement Plan.

Capital Plan Building Schedule
Construction of New Branch Libraries
1/15/04

Proposed Location	Commission District	Startup A/E & Design Land Acq. Fiscal Year	Begin Construction Estimated Fiscal Year	Complete Construction Estimated Fiscal Year
DISTRICT 2 (7,500 s/f #2) NE	2	FY 2002-03	FY 2003-04	FY 2004-05
NARANJA	9	FY 2003-04	FY 2004-05	FY 2005-06
KENDALE LAKES	11	FY 2003-04	FY 2004-05	FY 2005-06
*DISTRICT 12 – INT'L MALL (7,500s/f)	12	FY 2003-04	FY 2004-05	FY 2005-06
COUNTRY WALK	9	FY 2003-04	FY 2004-05	FY 2005-06
DISTRICT 2 (7500 s/f) NW	2	FY 2004-05	FY 2005-06	FY 2006-07
DISTRICT 12-DORAL (7,500 s/f)	12	FY 2004-05	FY 2005-06	FY 2006-07
** PINECREST	7	Interlocal	Agreement	
HIALEAH GARDENS	12	FY 2006-07	FY 2007-08	FY 2008-09
KILLIAN	8 or 10	FY 2007-08	FY 2008-09	FY 2009-10

Mini Libraries
(Leased Facilities)

Proposed Location	Commission District	Fiscal Year	Complete Begin Operations
Naranja (Opened)	8	FY 2002-03	May-03
Lakes of the Meadow (Opened)	11	FY 2002-03	Aug.-03
Concord	10	FY 2003-04	May-04
Palm Springs North	13	FY 2003-04	Sept.-04
Palmetto Bay	8	FY 2004-05	Nov.-04
California Club	1	FY 2004-05	Jan.-05
***West Grove-Virrick Park	7	FY 2004-05	July-05
Kendall/Sunset	10	FY 2005-06	Dec.-05

* Awaiting Deed Transfer From International Mall developers—Expected Summer 2004

** Awaiting Interlocal Agreement with Village of Pinecrest.

*** Awaiting BCC Approval of Interlocal Agreement with City of Miami expected in Spring, 2004 and completion of construction by the City in late Spring, 2005.

June 16, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION CONFIRMING INTENT TO MAINTAIN IMPROVEMENTS WITHIN THE BISCAYNE TRAIL ALONG THE L-31-E LEVEE, EXTENDING FROM OLD CUTLER ROAD TO BLACK POINT

I. SUMMARY

This resolution confirms the Counties intent to maintain improvements within the Biscayne Trail.

II. PRESENT SITUATION

Presently, the Public works Department has permit #7187 with the South Florida Water Management District (District) to allow landscaping within the Biscayne Trail.

III. POLICY CHANGE AND IMPLICATION

The Park and Recreation Department has funding from the Safe Neighborhood Parks Bond program to construct new facilities along the Biscayne Trail including a bike path, bike racks, shade structures and landscaping. The construction of these facilities requires District approval. Before the District will grant its approval, it wants assurance from the County of its intent to maintain the facilities. Specifically, the item recommends the County confirm the following:

1. Provide maintenance to the facilities that it will construct on the levee L-31-E until Permit # 7187 expires.
2. Seek approval from the District before constructing any of the facilities mentioned above that are within the District's jurisdiction.
3. Remove and trim any landscaping in a timely manner when requested to do so by the District until Permit #7187 expires.
4. Assume the responsibility to comply with any applicable tree ordinances and not attempt to use such ordinances as a means to retain trees, which the District determines, must be removed.
5. Design all facilities and improvements in compliance with the District's standards.
6. Use a planting list that contains no less than 98% of the District's approved plant list and contains no noxious or undesirable species.

IV. ECONOMIC IMPACT

Construction of the facilities at the Biscayne Trail is estimated at \$1million and is being funded out of Safe Neighborhood Park Bond Funds. Maintenance costs are estimated at \$5,000 per year.

Recreation & Cultural Affairs Committee ITEM 3(G)
June 16, 2004

V. COMMENTS AND QUESTIONS

None.

June 16, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING ASSIGNMENT OF MARINA FUNDING GROUP, INC. LEASE AGREEMENT TO 33032 PARTNERS, LTD. TO PROVIDE DRY RACK BOAT STORAGE AND RELATED FACILITIES AT BLACK POINT MARINA; APPROVING A THIRD LEASE AMENDMENT WHICH EXERCISES TWO FIVE YEAR RENEWAL OPTIONS, REMOVES A PARCEL OF LAND FROM THE LEASEHOLD, AND MODIFIES THE MINIMUM RENT GUARANTEE PURSUANT TO LEASE TERMS; AND AUTHORIZING THE ESTOPPEL CERTIFICATE TO REFLECT THE LEASE TERMS

I. SUMMARY

This resolution approves the assignment of the Lease Agreement between Marina Funding Group, Inc. and Miami-Dade County for the operation of dry rack boat storage and related facilities to 33032 Partners, Ltd. for the remaining lease term of four years, eleven months.

II. PRESENT SITUATION

On July 5, 1988, the Board approved a lease agreement with Marine Management, Inc. for the development and operation of dry rack storage and other related services at the Black Point Park Marina. On December 1, 1998, the lease agreement was assigned to Marina Funding Group Inc.

III. POLICY CHANGE AND IMPLICATION

This item approves the assignment of this lease agreement to 33032 Partners, Ltd. for the remaining lease term of four years, eleven months. The item also recommends that the Board approve a Third Lease Amendment, which exercises the two renewal terms of five years each, removes a parcel of land from the leasehold and modifies the guaranteed minimum rent pursuant to Lease terms. This amendment also allows for a leasehold mortgage and modifies the capital improvement extension provisions.

IV. ECONOMIC IMPACT

The guaranteed minimum rent is \$9,664 per month with the payment terms as follows:

- 5% of monthly gross receipts from all sources except
- 12% of monthly gross receipts from rental of Department's houseboat vessel
- 3% of gross receipts from sales of vessels and/or engines
- 35% of vending "commissions"
- 5 cents per gallon for fuel sales

Recreation & Cultural Affairs Committee ITEM 3(H)
June 16, 2004

The Lease also provides for three five-year extensions for capital improvements to Black Point Park and Marina for each \$250,000 expended. This amendment would allow for the lessee to fund the County's capital improvements at the facility instead of requiring that the lessee do the construction work itself.

V. COMMENTS AND QUESTIONS

None